

## RESOLUTION NO. 9460

### CONDITIONAL USE PERMIT

**RESOLUTION** introduced by Interim City Manager Richard U. Nienstedt, in accordance with Section 18.60.010 of the Topeka Municipal Code (TMC), approving a Conditional Use Permit to allow for the enclosed parking of passenger vehicles and light duty trucks on property zoned "D-1" Downtown District and located at 1000 SE Quincy Street all being within the City of Topeka, Shawnee County, Kansas. (CU23/03) (Council District #1)

**BE IT RESOLVED** by the Governing Body of the City of Topeka, Kansas, that the application under the provisions of TMC 18.60.010, approving a Conditional Use Permit to allow enclosed parking of passenger vehicles and light duty trucks on property located at 1000 SE Quincy Street and more specifically legally described as:

#### EXHIBIT A

**Tract I:**

**Lots 121, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141 and 143 on 10th Avenue East, partly in the Original Town and partly in Ritchie's Addition, City of Topeka, Shawnee County, Kansas, along with all of the vacated alley lying between Lots 131 and 133 on said 10th Avenue East; and all of the vacated alley lying South of Lots 133, 135, 137, 139, 141 and 143 on 10th Avenue East and North of Lot 337 on Monroe Street; also the North one-half of vacated alley lying South of and adjacent to Lots 121, 123, 125, 127, 129 and 131 on 10th Avenue East and South of the vacated alley lying between Lots 131 and 133 on said 10th Avenue East.**

**Tract II:**

**Lots 337, 339, 341, 343, 345, 347, 349, 351, 353, 355, 357 and 359 on Monroe Street, partly in the Original Town and partly in Ritchie's Addition, City of Topeka, Shawnee County, Kansas; along with the East one-half of the vacated alley lying West of and adjacent to the South one-half of vacated alley lying between Lots 133, 135, 137, 139, 141 and 143 on 10th Avenue East and North of Lot 337 on Monroe Street; and the East one-half of the vacated alley lying West of and adjacent to Lots 337, 339, 341, 343, 345, 347, 349, 351, 353, 355 and the North one-half of 357 on said Monroe Street; and the East half of the vacated alley lying West of the South one-half of Lots 357 and all of Lot 359 on Monroe Street, partly in the Original Town and partly in Ritchie's Addition, City of Topeka, Shawnee County, Kansas.**

**Tract III:**

**The South one-half of Lot 358 and all of Lot 360 on Quincy Street, partly in the Original Town and partly in Ritchie's Addition, City of Topeka, Shawnee County, Kansas, along with the West one-half of the vacated alley lying East of and adjacent to the South one-half of Lot 358 and all of Lot 360 on Quincy Street, partly in the Original Town and partly in Ritchie's Addition, City of Topeka, Shawnee County, Kansas.**

be, and the same is hereby approved, **subject to:**

1. Use and development of the site in accordance with the approved Site Plan, Resolution and Conditions stated herein.
2. Statement of Use: *“A CUP to allow for 10 or more individual parking garages for the storage of passenger vehicles or light duty trucks. No repair or maintenance of vehicles shall be permitted inside the garages. The use of the garages for contractor storage and shops or for the storage of hazardous or flammable materials shall not be permitted. Operation of the facility shall be 24 hours per day with entry provide through an electronic key pad entry system.”*
3. Fences: *“The existing fencing along the SE Monroe property line will be removed as part of construction.. Any fencing shall require approval of a Fence Permit and shall comply with TMC 18.210.040 fencing regulations. Type and material of any proposed fencing shall be approved by Planning staff for consistency to the Urban Design Guidelines.”*
4. Building Materials: *“Hardie Board Fiber Cement siding ‘smooth finish’ for commercial applications, such as: 0.312 X 120’ X 48’ or similar product material to be approved at the time of Building Permit submittal.. Design subject to the Downtown Topeka Urban Design Guidelines. Artwork or other type of building mural may be provided along street facing façade to create visual interest.”*
5. Surfacing: *“The City of Topeka Off-Street Parking Policy applies for the hard surfacing of any parking areas and access drives.”*

**ADOPTED AND APPROVED** by the Governing Body of the City of Topeka, August 15, 2023.

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Michael Padilla, Mayor

ATTEST:

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Brenda Younger, City Clerk